

**PATENT**

**Attorney Docket No.: 784-53 (SC-18813)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANTS:** HWANG, Chan-Soo et al.      **GROUP ART UNIT:** 2616  
**SERIAL NO.:** 10/606,430      **EXAMINER:** MOORE, Ian N.  
**FILED:** June 25, 2003      **DATED:** February 26, 2008  
**FOR:** ORTHOGONAL FREQUENCY DIVISION MULTIPLEXING  
COMMUNICATION METHOD AND APPARATUS ADAPTED TO  
CHANNEL CHARACTERISTICS

Mail Stop  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313,1450  
**Attention:** Refund Section, Accounting Division, Office of Finance

**REQUEST FOR REFUND**

Sir:

**I. REFUND REQUEST**

This is a request for a refund with respect to a payment for the first and second month extension of time incurred because of a delay that is believe to have been caused by the U.S. Patent and Trademark Office with respect to the above-identified application.

**II. FEES CHARGED FOR WHICH REFUND REQUESTED**

**AMOUNT OF REFUND REQUESTED**

<input type="checkbox"/>	filing fee	
<input type="checkbox"/>	surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. §1.16(e))	
	and/or	
<input type="checkbox"/>	surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. §1.16(e))	
<input type="checkbox"/>	extension of term	
<input type="checkbox"/>	first month	
<input checked="" type="checkbox"/>	second month and	
<input checked="" type="checkbox"/>	third month	<u>\$ 910.00</u>
<input type="checkbox"/>	fourth month	
<input type="checkbox"/>	excess claims	
<input type="checkbox"/>	issue fee	
<input type="checkbox"/>	petition fee	
<input type="checkbox"/>	patent maintenance fee	
<input type="checkbox"/>	first maintenance fee	
<input type="checkbox"/>	second maintenance fee	
<input type="checkbox"/>	third maintenance fee	
<input type="checkbox"/>	patent maintenance fee surcharge	
<input type="checkbox"/>	other	
	<b>TOTAL REFUND REQUESTED</b>	<b><u>\$ 910.00</u></b>

### **III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

An Office Action marked "Final" by the Examiner was mailed on August 24, 2007. On November 26, 2007 a Response to the Office Action was filed electronically as evidenced by the Electronic Filing Receipt EPS ID 2509256 attached hereto. An Advisory Action was faxed by the U.S. Patent and Trademark Office on February 25, 2008, upon a conversation with the Examiner on the status of the Advisory Action. On February 25, 2008 a Request for Continued Examination was filed with the U.S. Patent and Trademark Office.

It is respectfully submitted that if not for the delay of the Patent Office, the fee associated with the Request for Continued Examination of \$910.00 for the second and third month Extension of Time would have been incurred by the applicant.

Since the Response to the "Final" Office Action was received on November 26, 2007, an Office communication should have been issued by December 26, 2007. The delay of two months, i.e. December 26, 2007 to February 25, 2008, was directly caused by the Office, and in turn caused the Applicant to incur the cost associated with the Request for Continued Examination of \$910.00.

Due to the delay of the issuance of the Advisory Action by the U.S. Patent and Trademark Office, a refund of the first and second month extension of time for a total of \$910.00 is required.

**IV. MANNER OF REFUND**

Please make refund by

X crediting Deposit Account No. 50-4053.

— refunding payment.

Respectfully requested,



Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant(s)

Dated: February 25, 2008

**THE FARRELL LAW FIRM**

**333 Earle Ovington Blvd.**

**Uniondale, New York 11553**

**(516) 228-3565 (tel)**

**(516) 228-8475 (fax)**

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	2509256
<b>Application Number:</b>	10606430
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	6328
<b>Title of Invention:</b>	Orthogonal frequency division multiplexing communication method and apparatus adapted to channel characteristics
<b>First Named Inventor/Applicant Name:</b>	Chan-Soo Hwang
<b>Customer Number:</b>	66547
<b>Filer:</b>	Paul J. Farrell/Danielle Ryan
<b>Filer Authorized By:</b>	Paul J. Farrell
<b>Attorney Docket Number:</b>	784-53
<b>Receipt Date:</b>	26-NOV-2007
<b>Filing Date:</b>	25-JUN-2003
<b>Time Stamp:</b>	18:10:12
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no				
<b>File Listing:</b>					
Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1		Amendment.pdf	426755 f14b5c97bd2574b1285d8e2454ddb3ba8797b65	yes	12

Multipart Description/PDF files in .zip description		
Document Description	Start	End
Miscellaneous Incoming Letter	1	2
Amendment After Final	3	12

**Warnings:**

**Information:**

Total Files Size (in bytes):	426755
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**  
 If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**  
 If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**  
 If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.